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Attorneys for Defendant

NAVIENT SOLUTIONS, LLC

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

BRIANA GRAYS,

Plaintiff,

vs.

NAVIENT SOLUTIONS, LLC; Does 1-10
inclusive,

Defendant.

Case No.

[Superior Court of California, Los
Angeles County Case No. 17K03684]

**DEFENDANT NAVIENT
SOLUTIONS, LLC'S NOTICE OF
REMOVAL OF ACTION PURSUANT
TO 28 U.S.C. §§ 1331, 1367, AND 1446**

Complaint filed: March 27, 2017

**TO THE HONORABLE COURT, ALL PARTIES HEREIN, AND THEIR
RESPECTIVE ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that Defendant Navient Solutions, LLC (NSL)
removes this action from the Superior Court of the State of California for the County of
Los Angeles to the United States District Court for the Central District of California.

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I.**STATEMENT OF THE CASE**

1. On March 27, 2017, Plaintiff Briana Grays commenced a civil action in the Los Angeles County Superior Court styled *Grays v. Navient Solutions, LLC*, Case No. 17K03684.

2. In her complaint, Plaintiff alleges claims for violation of the Fair Debt Collection Practices Act (**FDCPA**) and the Telephone Consumer Protection Act (**TCPA**). Both claim arise under federal law. (*See* Complaint attached hereto as Exhibit "A.")

II.**FEDERAL QUESTION AND SUPPLEMENTAL JURISDICTION**

3. This Court has original jurisdiction over this civil action pursuant to 28 U.S.C. § 1331, which provides: "[t]he district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States."

4. The second claim for relief in the Complaint is for the alleged violation of the FDCPA, 15 U.S.C. §§ 1692 *et seq.*, and the third claim in the Complaint is for the alleged violation of the TCPA, 47 U.S.C. §§ 227 *et seq.* Because Plaintiff alleges violations of multiple federal statutes, Plaintiff's action arises under federal law and is subject to this Court's original jurisdiction. NSL is entitled to remove Plaintiff's action to this Court pursuant to 28 U.S.C. § 1441(a), which provides that "any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending."

5. Under 28 U.S.C. § 1367(a), this Court has supplemental jurisdiction over any other causes of action alleged in the Complaint as "the district courts shall have supplemental jurisdiction over all other claims that are so related to claims in the action within such original jurisdiction that they form part of the same case or controversy."

6. Plaintiff's lone other claim in the complaint for the alleged violation of the Rosenthal Fair Debt Collection Practices Act (**RFDCPA**), California Civil Code 1788 *et seq.*, is so related with Plaintiff's second and third claims arising under federal law and form part of the same controversy. First, both Plaintiff's federal claims and RFDCPA claim are based on and relate to the same loan/debt. Second, Plaintiff's federal claims and RFDCPA claim are based on the same set of factual allegations. For these reasons, Plaintiff's RFDCPA claim should be deemed so related with her federal claims that they form part of the same controversy and are subject to this Court's jurisdiction.

III.

ALL PROCEDURAL REQUIREMENTS FOR REMOVAL HAVE BEEN SATISFIED

7. Under 28 U.S.C. § 1446(b), "[t]he notice of removal of a civil action or proceeding shall be filed within thirty days after the receipt by the defendant...of a copy of the initial pleading...or within thirty days after the service of summons upon the defendant." This thirty-day period begins to run from when the removing defendant is served and not from when the first defendant is served. *Destifino*, 630 F.3d at 956. Plaintiff delivered a copy of the summons and complaint to NSL's registered agent for service of process on March 30, 2017. (See Exhibit "B" attached hereto.) NSL timely files this notice of removal within thirty days of Plaintiff's purported service.

8. True and accurate copies of the summons and all process and pleadings received by NSL are attached hereto as Exhibit "C."

9. Removal of this action to this Court is proper as the Los Angeles County Superior Court where this action commenced is located within this Court's jurisdiction.

10. Pursuant to 28 U.S.C. § 1446(d), NSL shall promptly file a notice of its removal of this action with the clerk of the Los Angeles Superior Court, and NSL shall promptly serve Plaintiff and any party who has appeared with this notice of removal as well as the notice to be filed in the Superior Court.

EXHIBIT A

COPY

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

MAR 27 2017

Sherri R. Carter, Executive Officer/Clerk
By Victor Sino-Cruz, Deputy

Todd M. Friedman (216752)
Adrian R. Bacon (280332)
Law Offices of Todd M. Friedman, P.C.
21550 Oxnard St., Ste 780
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tfriedman@toddlaw.com
abacon@toddlaw.com
Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
LIMITED JURISDICTION

10		) Case No.	17 K03684
11	BRIANA GRAYS,	) COMPLAINT FOR	
12)	
13	Plaintiff,	)	1. Violation of Rosenthal Fair Debt
14	-vs-	)	Collection Practices Act
15	NAVIENT SOLUTIONS, LLC; DOES 1-10	)	2. Violation of Fair Debt Collection
16	inclusive,	)	Practices Act
17	Defendant.	)	3. Violation of Telephone Consumer
18		)	Protection Act.
19		)	(Amount not to exceed \$10,000)
20		)	Jury Trial Demanded

I. INTRODUCTION

1. This is an action for damages brought by Plaintiff BRIANA GRAYS for Defendant's violations of the Rosenthal Fair Debt Collection Practices Act, Cal. Civ. Code § 1788, *et seq.* (hereinafter "RFDCPA") and the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA"), both of which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices. Ancillary to the claims above, Plaintiff further alleges claims for Defendant's violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* (hereinafter "TCPA").

///

BY FAX

II. PARTIES

2. Plaintiff, BRIANA GRAYS ("Plaintiff"), is a natural person residing in LOS ANGELES County in the state of California, a "debtor" as defined by the RFDCPA, Cal. Civ. Code § 1788.2(h), and a "consumer" as defined by the FDCPA, 15 U.S.C. § 1692a(3).

3. At all times relevant herein, Defendant, NAVIENT SOLUTIONS, LLC ("Defendant"), was a company engaged, by use of the mails and telephone, in the business of collecting a debt from Plaintiff which qualifies as a "consumer debt," as defined by the RFDCPA, Cal. Civ. Code § 1788.2(f), and as a "debt," as defined by the FDCPA, 15 U.S.C. § 1692a(5). Defendant regularly attempts to collect debts alleged to be due another, and therefore is a "debt collector" as defined by the RFDCPA, Cal. Civ. Code § 1788.2(c) and the FDCPA, 15 U.S.C. § 1692a(6). Further, Defendant uses an "automatic telephone dialing system" as defined by the TCPA, 47 U.S.C. §227.

4. The above named Defendant, and its subsidiaries and agents, are collectively referred to as "Defendants." The true names and capacities of the Defendants sued herein as DOE DEFENDANTS 1 through 10, inclusive, are currently unknown to Plaintiff, who therefore sues such Defendants by fictitious names. Each of the Defendants designated herein as a DOE is legally responsible for the unlawful acts alleged herein. Plaintiff will seek leave of Court to amend the Complaint to reflect the true names and capacities of the DOE Defendants when such identities become known.

5. Plaintiff is informed and believes that at all relevant times, each and every Defendant was acting as an agent and/or employee of each of the other Defendants and was acting within the course and scope of said agency and/or employment with the full knowledge and consent of each of the other Defendants. Plaintiff is informed and believes that each of the acts and/or omissions complained of herein was made known to, and ratified by, each of the other Defendants.

III. FACTUAL ALLEGATIONS

6. At various and multiple times prior to the filing of the instant complaint, including within the one year preceding the filing of this complaint, Defendant contacted Plaintiff regarding an alleged debt.

1 7. Around and before August of 2016, Plaintiff started receiving a barrage of calls
2 from Defendant. Defendant called Plaintiff's phone number ending in -0796.

3 8. Defendant called Plaintiff's cellular telephone multiple times, and Defendant
4 continued to call even after Plaintiff told Defendant not to.

5 9. Defendant also used an "automatic telephone dialing system," as defined by 47
6 U.S.C. § 227(a)(1), to place its repeated collection calls to Plaintiffs seeking to collect the debt
7 allegedly owed.

8 10. Defendant's calls constituted calls that were not for emergency purposes as
9 defined by 47 U.S.C. § 227(b)(1)(A).

10 11. Defendant's calls were placed to telephone number assigned to a cellular
11 telephone service for which Plaintiffs incur a charge for incoming calls pursuant to 47 U.S.C.
12 §227(b)(1).

13 12. Defendant's calls and its contents were enough to be considered harassment, and
14 thus caused high levels of stress to Plaintiff.

15 13. As a result of Defendant's actions, Plaintiff retained counsel. A notice of
16 representation was sent to Defendant on September 13, 2016. Defendant has failed to respond
17 favorably, if at all, to this letter as of present.

18 14. Furthermore, in the letter dated September 13, 2016, Plaintiff revoked any and all
19 consent to be contacted via an "automated telephone dialing system."

20 15. Defendant's conduct violated the FDCPA and RFDCPA in multiple ways,
21 including but not limited to:

22 a) Causing a telephone to ring repeatedly or continuously to annoy Plaintiff (Cal.
23 Civ. Code § 1788.11(d));

24 b) Communicating, by telephone or in person, with Plaintiff with such frequency as
25 to be unreasonable and to constitute an harassment to Plaintiff under the
26 circumstances (Cal. Civ. Code § 1788.11(e));

27 c) Causing Plaintiffs telephone to ring repeatedly or continuously with intent to
28 harass, annoy or abuse Plaintiff (15 U.S.C. § 1692d(5));

- 1 d) Communicating with Plaintiff at times or places which were known or should
2 have been known to be inconvenient for Plaintiff (15 U.S.C. § 1692c(a)(1)); and
- 3 e) Engaging in conduct the natural consequence of which is to harass, oppress, or
4 abuse Plaintiff (15 U.S.C. § 1692d)).

5 15. Defendant's conduct violated the TCPA by:

- 6 a) using any automatic telephone dialing system or an artificial or pre-
7 recorded voice to any telephone number assigned to a paging
8 service, cellular telephone service, specialized mobile radio
9 service, or other radio common carrier service, or any service for
10 which the called party is charged for the call (47 USC
§227(b)(A)(iii)).

11 16. As a result of the above violations of the RFDCPA, FDCPA, and TCPA, Plaintiff
12 suffered and continue to suffer injury to Plaintiff's feelings, personal humiliation,
13 embarrassment, mental anguish and emotional distress, and Defendant is liable to Plaintiff for
14 Plaintiff's actual damages, statutory damages, and costs and attorney's fees.

15 **COUNT I: VIOLATION OF ROSENTHAL**
16 **FAIR DEBT COLLECTION PRACTICES ACT**

17 17. Plaintiff reincorporates by reference all of the preceding paragraphs.

18 18. To the extent that Defendant's actions, counted above, violated the RFDCPA,
19 those actions were done knowingly and willfully.

20 **PRAYER FOR RELIEF**

21 WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant
22 for the following:

- 23 A. Actual damages;
24 B. Statutory damages for willful and negligent violations;
25 C. Costs and reasonable attorney's fees; and
26 D. For such other and further relief as may be just and proper.

27 **COUNT II: VIOLATION OF FAIR DEBT**
COLLECTION PRACTICES ACT

28 19. Plaintiff reincorporates by reference all of the preceding paragraphs.

20. To the extent that Defendant's actions, counted above, violated the FDCPA, those actions were done knowingly and willfully.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant for the following:

- A. Actual damages;
- B. Statutory damages;
- C. Costs and reasonable attorney's fees; and,
- D. For such other and further relief as may be just and proper.

**COUNT III: VIOLATION OF TELEPHONE
CONSUMER PROTECTION ACT**

21. Plaintiff reincorporates by reference all of the preceding paragraphs.

22. The foregoing acts and omissions of Defendant constitute numerous and multiple negligent violations of the TCPA, including but not limited to each and every one of the above cited provisions of 47 U.S.C. § 227 *et seq.*

23. As a result of Defendant's negligent violations of 47 U.S.C. § 227 *et seq.*, Plaintiff is entitled an award of \$500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B).

24. The foregoing acts and omissions of Defendant constitute numerous and multiple knowing and/or willful violations of the TCPA, including but not limited to each and every one of the above cited provisions of 47 U.S.C. § 227 *et seq.*

25. As a result of Defendant's knowing and/or willful violations of 47 U.S.C. § 227 *et seq.*, Plaintiff is entitled an award of \$1,500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

26. Plaintiff is entitled to and seeks injunctive relief prohibiting such conduct in the future.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- 1 A. As a result of Defendant's negligent violations of 47 U.S.C. §227(b)(1),
2 Plaintiff is entitled to and request \$500 in statutory damages, for each
3 and every violation, pursuant to 47 U.S.C. 227(b)(3)(B);
4 B. As a result of Defendant's willful and/or knowing violations of 47
5 U.S.C. §227(b)(1), Plaintiff is entitled to and requests treble damages,
6 as provided by statute, up to \$1,500, for each and every violation,
7 pursuant to 47 U.S.C. §227(b)(3)(B) and 47 U.S.C. §227(b)(3)(C); and
8 C. Any and all other relief that the Court deems just and proper.

9 PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY

10 27. Plaintiff, pursuant to her rights under Article 1, Section 16 of the Constitution of
11 the State of California, reserves her right to and hereby demands a trial by jury on all issues so
12 triable.

13 Respectfully submitted this 27th day of March, 2017.

14 By: 

15 Todd M. Friedman, Esq.
16 Law Offices of Todd M. Friedman, P.C.
17 Attorney for Plaintiff
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EXHIBIT B



CORPORATION SERVICE COMPANY*

Notice of Service of Process

Transmittal Number: null / ALL
Date Processed: 03/31/2017

Primary Contact:

Navient Corporation

Electronic copy provided to:

Nicola Murphy

Entity:	Navient Solutions, LLC Entity ID Number [REDACTED]
Entity Served:	Navient Solutions, LLC
Title of Action:	Briana Grays vs. Navient Soulutions, LLC
Document(s) Type:	Summons/Complaint
Nature of Action:	Violation of State/Federal Act
Court/Agency:	Los Angeles County Superior Court, California
Case/Reference No:	17K03684
Jurisdiction Served:	California
Date Served on CSC:	03/30/2017
Answer or Appearance Due:	30 Days
Originally Served On:	CSC
How Served:	Personal Service
Sender Information:	Todd M. Friedman 877-206-4741

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

EXHIBIT C

COPY

SUM-100

**SUMMONS
(CITACION JUDICIAL)****NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):****NAVIENT SOLUTIONS, LLC; DOES 1-10 inclusive,****YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):****BRIANA GRAYS,**FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)**CONFORMED COPY
ORIGINAL FILED**
Superior Court of California
County of Los Angeles**MAR 27 2017**Sherri R. Carter, Executive Officer/Clerk
By Victor Sino-Cruz, Deputy**BY FAX****NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form. If you want the court to hear your case, there may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.suorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.suorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desecuar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Stanley Mosk Courthouse

111 N Hill St,

Los Angeles, CA 90012.

CASE NUMBER:
(Número del Caso):**17K03684**

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Todd M. Friedman, 21550 Oxnard St., Suite 780 Woodland Hills, CA 91367, 877-206-4741

MAR 27 2017DATE:
(Fecha)**SHERRI R. CARTER**Clerk, by
(Secretario)**VICTOR SINO-CRUZ**Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):

3. ☒ on behalf of (specify): **NAVIENT SOLUTIONS, LLC**

- under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☒ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other (specify):

4. ☒ by personal delivery on (date): **3/30/17**

COPY

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Todd M. Friedman, Esq. SBN 216752 Law Offices of Todd M. Friedman 21550 Oxnard St., Suite 780 Woodland Hills, CA 91367 TELEPHONE NO.: 877-206-4741 FAX NO.: 866-633-0228 ATTORNEY FOR (Name): Plaintiff, BRIANA GRAYS		FOR COURT USE ONLY CONFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles MAR 27 2017 Sherri R. Carter, Executive Officer/Clerk By Victor Sino-Cruz, Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N Hill St MAILING ADDRESS: 111 N Hill St CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Stanley Mosk Courthouse		
CASE NAME: BRIANA GRAYS v. NAVIENT SOLUTIONS, LLC		
CIVIL CASE COVER SHEET <input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input checked="" type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	CASE NUMBER 17K03684 JUDGE: DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:		
Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input checked="" type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (08) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (28) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify): 3
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: March 27, 2017
 Todd M. Friedman

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collection case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

Form Adopted for Mandatory Use
 Judicial Council of California
 CM-010 (Rev. July 1, 2007)

CIVIL CASE COVER SHEET

Cal. Rules of Court, rules 2.30, 3.220, 3.400-3.403, 3.740;
 Cal. Standards of Judicial Administration, std. 3.10
www.courtinfo.ca.gov

American LegalNet, Inc.
www.FormsWorkFlow.com

BY FAX

CM-010

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort	Contract	Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)
Auto (22)--Personal Injury/Property Damage/Wrongful Death	Breach of Contract/Warranty (06)	Antitrust/Trade Regulation (03)
Uninsured Motorist (46) <i>(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)</i>	Breach of Rental/Lease	Construction Defect (10)
	Contract <i>(not unlawful detainer or wrongful eviction)</i>	Claims Involving Mass Tort (40)
	Contract/Warranty Breach--Seller	Securities Litigation (28)
	Plaintiff <i>(not fraud or negligence)</i>	Environmental/Toxic Tort (30)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort	Negligent Breach of Contract/Warranty	Insurance Coverage Claims <i>(arising from provisionally complex case type listed above)</i> (41)
Asbestos (04)	Other Breach of Contract/Warranty	Enforcement of Judgment
Asbestos Property Damage	Collections (e.g., money owed, open book accounts) (09)	Enforcement of Judgment (20)
Asbestos Personal Injury/Wrongful Death	Collection Case--Seller Plaintiff	Abstract of Judgment (Out of County)
Product Liability <i>(not asbestos or toxic/environmental)</i> (24)	Other Promissory Note/Collections Case	Confession of Judgment <i>(non-domestic relations)</i>
Medical Malpractice (45)	Insurance Coverage <i>(not provisionally complex)</i> (18)	Sister State Judgment
Medical Malpractice--Physicians & Surgeons	Auto Subrogation	Administrative Agency Award <i>(not unpaid taxes)</i>
Other Professional Health Care Malpractice	Other Coverage	Petition/Certification of Entry of Judgment on Unpaid Taxes
Other PI/PD/WD (23)	Other Contract (37)	Other Enforcement of Judgment Case
Premises Liability (e.g., slip and fall)	Contractual Fraud	Miscellaneous Civil Complaint
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)	Other Contract Dispute	RICO (27)
Intentional Infliction of Emotional Distress	Real Property	Other Complaint <i>(not specified above)</i> (42)
Negligent Infliction of Emotional Distress	Eminent Domain/Inverse Condemnation (14)	Declaratory Relief Only
Other PI/PD/WD	Wrongful Eviction (33)	Injunctive Relief Only <i>(non-harassment)</i>
Non-PI/PD/WD (Other) Tort	Other Real Property (e.g., quiet title) (26)	Mechanics Lien
Business Tort/Unfair Business Practice (07)	Writ of Possession of Real Property	Other Commercial Complaint Case <i>(non-tort/non-complex)</i>
Civil Rights (e.g., discrimination, false arrest) <i>(not civil harassment)</i> (08)	Mortgage Foreclosure	Other Civil Complaint <i>(non-tort/non-complex)</i>
Defamation (e.g., slander, libel) (13)	Quiet Title	Miscellaneous Civil Petition
Fraud (16)	Other Real Property <i>(not eminent domain, landlord/tenant, or foreclosure)</i>	Partnership and Corporate Governance (21)
Intellectual Property (19)	Unlawful Detainer	Other Petition <i>(not specified above)</i> (43)
Professional Negligence (25)	Commercial (31)	Civil Harassment
Legal Malpractice	Residential (32)	Workplace Violence
Other Professional Malpractice <i>(not medical or legal)</i>	Drugs (38) <i>(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)</i>	Elder/Dependent Adult Abuse
Other Non-PI/PD/WD Tort (35)	Judicial Review	Election Contest
Employment	Asset Forfeiture (05)	Petition for Name Change
Wrongful Termination (36)	Petition Re: Arbitration Award (11)	Petition for Relief From Late Claim
Other Employment (15)	Writ of Mandate (02)	Other Civil Petition
	Writ--Administrative Mandamus	
	Writ--Mandamus on Limited Court Case Matter	
	Writ--Other Limited Court Case Review	
	Other Judicial Review (39)	
	Review of Health Officer Order	
	Notice of Appeal--Labor Commissioner Appeals	

COPY

SHORT TITLE: BRIANA GRAYS v. NAVIENT SOLUTIONS, LLC.

CASE NUMBER 17K03684

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

1. Class actions must be filed in the Stanley Mosk Courthouse, Central District.
2. Permissive filing in central district.
3. Location where cause of action arose.
4. Mandatory personal injury filing in North District.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.
11. Mandatory filing location (Hub Cases -- unlawful detainer, limited non-collection, limited collection, or personal injury).

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons (See Step 3 Above)
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death - Uninsured Motorist	1, 4, 11
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11 1, 4, 11
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11 1, 4, 11

BY FAX

SHORT TITLE: BRIANA GRAYS v. NAVIENT SOLUTIONS, LLC	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/Property Damage/Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
	Other (35)	<input checked="" type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1, 2, 3 10
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2, 6
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
Real Property	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

SHORT TITLE: BRIANA GRAYS v. NAVIENT SOLUTIONS, LLC	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus	2, 8
		<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2
		<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2, 5, 11
		<input type="checkbox"/> A6160 Abstract of Judgment	2, 6
		<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2, 9
		<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2, 8
		<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
		<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 8, 9
Miscellaneous Civil Complaints	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1, 2, 8
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
	<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8	
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2, 3, 9
		<input type="checkbox"/> A6123 Workplace Harassment	2, 3, 9
		<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2, 3, 9
		<input type="checkbox"/> A6190 Election Contest	2
		<input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender	2, 7
		<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law	2, 3, 8
<input type="checkbox"/> A6100 Other Civil Petition	2, 9		

SHORT TITLE: BRIANA GRAYS v. NAVIENT SOLUTIONS, LLC	CASE NUMBER
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Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code, (No address required for class action cases).

REASON: <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.			ADDRESS: 2870 N Townne Ave
CITY: Pomona	STATE: CA	ZIP CODE: 91767	

Step 5: Certification of Assignment: I certify that this case is properly filed in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: 27 March 2017


(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

FILED
LOS ANGELES SUPERIOR COURT

MAR 07 2016

SHERRI R. CARTER, EXECUTIVE OFFICER/CLERK
C. Casarez
BY C. CASAREZ, DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

17K03684

In re Limited Civil Jurisdiction Cases Calendared)
in Department 77 (Non – Collections Cases))
Case No.:
2nd AMENDED
GENERAL ORDER

TO EACH PARTY AND TO THE ATTORNEY OF RECORD FOR EACH PARTY:

Pursuant to the California Code of Civil Procedure, the California Rules of Court, and the Los Angeles County Superior Court Local Rules, the COURT HEREBY ISSUES THE FOLLOWING GENERAL ORDERS THAT SHALL APPLY TO ALL LIMITED CIVIL (NON-COLLECTION) CASES FILED AND/OR HEARD IN DEPARTMENT 77.

1. PLAINTIFF(S) IS/ARE ORDERED TO SERVE A COPY OF THIS GENERAL ORDER ON THE DEFENDANT(S) WITH COPIES OF THE SUMMONS AND COMPLAINT AND TO FILE PROOF OF SERVICE, AS MANDATED IN THIS ORDER.

2. The Court sets the following trial date in this case in Department 77 (7th floor, Room 736) at the Stanley Mosk Courthouse, 111 North Hill Street, Los Angeles, CA 90012:

TRIAL: TRIAL 09 / 27 / 2018 OSC: 03 / 27 / 2020

Date: _____ at 8:30 a.m.

1 **SERVICE OF SUMMONS AND COMPLAINT**

2 3. The trial date set forth above is conditioned on the defendant(s) being served with
 3 the summons and complaint within six (6) months of the filing of the complaint. The trial date
 4 may be continued to a later date if service is not accomplished within six months. The parties
 5 may stipulate to keep the original trial date even if service of the summons and complaint is not
 6 completed within six months of the filing of the original complaint.
 7

8 4. The summons and complaint shall be served upon the defendant(s) within three
 9 years after the complaint is filed in this action. (Code Civ. Proc., § 583.210, subd. (a).) Failure
 10 to comply will result in dismissal, without prejudice, of the action, as to all unserved parties who
 11 have not been dismissed as of that date. (Code Civ. Proc., § 581, subd. (b)(4).) The dismissal as
 12 to the unserved parties, without prejudice, for this case shall be effective on the following date:
 13
 14

15 **UNSERVED PARTIES DISMISSAL DATE**

16 TRIAL: 09 / 27 / 2018 OSC: 03 / 27 / 2020
 17
 18
 19

20
 21 5. No Case Management Review (CMR) and no Mandatory Settlement (MSC) or
 22 Final Status Conferences (FSC) will be conducted in this case.
 23

24 **LAW AND MOTION**

25 6. All regularly noticed pretrial motions will be heard in Department 77 on
 26 Mondays, Tuesdays, Wednesdays, and Thursdays at 8:30 a.m. A motion will be heard only if a
 27 party reserves a hearing date by going to the court's website at www.lacourt.org and reserving it
 28

1 through the Court Reservation System (CRS). All motions should be filed in Room 102 of the
2 Stanley Mosk Courthouse.

3 7. Tentative Rulings may be posted on the Court's internet site no later than the day
4 prior to the hearing. To access tentative rulings, parties may go to **lacourt.org**, select "Civil"
5 Division, and then click on "Tentative Rulings."
6

7 **EX PARTE APPLICATIONS**

8 8. Ex parte applications must be noticed for 1:30 p.m. in Department 77. All ex
9 parte application fees must be paid by 1:00 p.m. in Room 102 of the Stanley Mosk Courthouse.
10

11 **JURY FEES**

12 9. The fees for a jury trial shall be due no later than 365 calendar days after the filing
13 of the initial complaint, or as otherwise provided by Code of Civil Procedure section 631,
14 subdivisions (b) and (c).
15

16 **STIPULATION TO CONTINUE TRIAL**

17 10. A trial will be postponed if all attorneys of record and/or the parties who have
18 appeared in the action stipulate in writing to a specific continued date. If the stipulation is filed
19 less than five (5) court days before the scheduled trial date, then a courtesy copy of the
20 stipulation must be filed in Department 77. A proposed order shall be lodged along with the
21 stipulation. The Stipulation and Order should be filed in Room 118 of the Stanley Mosk
22 Courthouse with the required filing fees.
23

24 **TRIAL**

25 11. Parties are to appear on the trial date ready to go to trial, and must meet and
26 confer on all pretrial matters at least 20 calendar days before the trial date. On the day of trial
27 the parties shall bring with them to Department 77 all of the following:
28

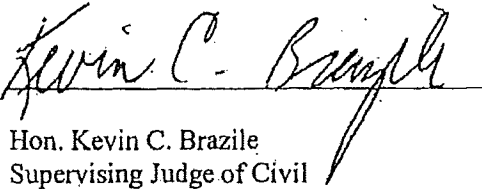
- i. A printed Joint Statement of the Case;

- 1 ii. Motions in Limine, which must be served and filed in accordance with the Local
- 2 Rules of the Los Angeles Superior Court (LASC) see local rule 3.57;
- 3
- 4 iii. A printed Joint Witness List disclosing an offer of proof regarding each
- 5 testimony, the time expected for testimony, and the need of an interpreter.
- 6 iv. Joint Exhibits in Exhibit Books, numbered appropriately, and Exhibit List;
- 7 v. A printed Joint Proposed Jury Instructions, and
- 8 vi. A printed Joint Proposed Verdict form(s).
- 9

10 **FAILURE TO PROVIDE ANY OF THE AFOREMENTIONED DOCUMENTS**
11 **ON THE TRIAL DATE MAY CAUSE A DELAY IN THE CASE BEING ASSIGNED TO**
12 **A TRIAL COURT.**

13 GOOD CAUSE APPEARING THEREFORE, IT IS SO ORDERED.

14
15 DATED: 3/7/16

16 
17 Hon. Kevin C. Brazile
18 Supervising Judge of Civil
19
20
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22
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27
28

GEN-16-Limited Jurisdiction Portal-PJ

FILED
 Superior Court of California
 County of Los Angeles

JUN 29 2016

Sherri R. Carter, Executive Officer/Clerk
 By Rizalinda Mina, Deputy
 Rizalinda Mina

SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF LOS ANGELES

In re Limited Jurisdiction Civil Cases	)	GENERAL ORDER RE LIMITED
Calendared in the Los Angeles County	)	JURISDICTION CIVIL PROCEDURES:
Superior Court	)	NOTICE OF WEB PORTAL
	)	AVAILABILITY FOR INTERPRETER
	)	REQUESTS
	)	(Effective July 11, 2016)

TO EACH PARTY:

In order to expedite the availability of interpreters at hearings on limited jurisdiction civil cases, IT IS HEREBY ORDERED that each limited jurisdiction civil plaintiff shall, along with the complaint and other required documents, serve all named defendants with the *Notice of the Availability of Web Portal for Interpreter Requests*; this notice informs the litigants that the Los Angeles County Superior Court provides interpreter services in limited jurisdiction civil cases at no cost to parties with limited English proficiency and that Spanish language interpreters are available in courtrooms where limited jurisdiction civil hearings are held. The notice will be provided to the plaintiff at the time the limited jurisdiction civil action is filed, if filed at the clerk's office, and will also be posted on the Los Angeles County Superior Court internet website (<http://www.lacourt.org/>). Plaintiff(s) must then indicate service of the *Notice of Availability of Web Portal for Interpreter Requests* on line 2(f) of the Proof of Service of Summons form (POS-010).

Effective immediately, this General Order is to remain in effect until otherwise ordered by the Presiding Judge.

DATED: June 29, 2016



Carolyn B. Kuhl
 CAROLYN B. KUHL
 Presiding Judge

Notice of Availability of Limited Civil Jurisdiction Web Portal for Interpreter Requests

The Los Angeles Superior Court provides interpreter services at no cost to parties with limited English proficiency in Limited Civil Jurisdiction hearings. Spanish interpreters are available at all courthouse locations. Therefore, it is not necessary to request a Spanish language interpreter in advance. If you require a Spanish interpreter, please let the courtroom staff know about your need on the day of your hearing. Limited English proficient individuals who speak a language other than Spanish may request an interpreter in advance of their court hearing via the Court's Web Portal for Interpreter Requests (<http://www.lacourt.org/irud/UI/index.aspx>). While the Court will make every effort to locate an interpreter for the date and time of your hearing, it cannot guarantee that one will be immediately available. If you have general questions about language access services, please contact us at LanguageAccess@LACOURT.org.

**Նախուցադիր սահմանափակ իրավասություն ան քաղաքացիական գործերով թարգմանչական ծառայություն
խնդրանքներ կայացնելու համար նախառնելու առցանց դարպասի ստեղծված**

Լոս Անջելեսի Առաջին ատյանի դատարանն անվճար թարգմանչական ծառայություններ է տրամադրում սահմանափակ իրավասություն ան քաղաքացիական վարույթների՝ անգլերենի սահմանափակ իմացություն ունեցող կողմերին: Իսպաներենի թարգմանչական կայքի վրա գտնվող դատարաններում ապահովված է: Ուստի, իսպաներենի թարգմանչի հայտնաբերողներ կայացնել անհրաժեշտ է: Եթե իսպաներենի թարգմանչի կարիք ունեք, ապա խնդրում ենք այդ մասին Ձեր Լսման օրը տեղեկացնել դատարանի դաշինի անձնակազմին: Անգլերենի սահմանափակ իմացություն ունեցող անձինք, ովքեր խոսում են իսպաներենից բացի մեկ այլ լեզվով, կարող են թարգմանչի խնդրանքներ կայացնել նախառնելու՝ նախքան իրենց Լսման օրը: Դատարանի: Թարգմանչական ծառայություն խնդրանքների համար նախառնելու՝ առցանց դարպասի միջոցով (<http://www.lacourt.org/irud/UI/index.aspx>): Թեև դատարանն ամեն ինչ կանի Ձեր Լսման օրն ու ժամին թարգմանչի ներկայություն ուն ապահովելու համար, սակայն դատարանը չի երաշխավորում, որ նման ներկայություն անմիջապես հնարավոր կլինի ապահովել: Լեզվական մատչելիություն ծառայություններին վերաբերող հարցերով խնդրում ենք դիմել LanguageAccess@LACOURT.org:

关于有限民事管辖权传译员申请网络门户的可用性通知

在有限民事管辖权庭审中, 洛杉矶高等法院为英语能力有限的各方人士提供免费传译员服务。在所有法庭中, 均有现成的西班牙语传译员。因此您不需要提前申请西班牙语传译员。如果您需要西班牙语传译员, 请在您的庭审当日将您的需求告知法庭工作人员。在庭审前, 英语能力有限的非西班牙语人士可通过法院的传译员申请网络门户(<http://www.lacourt.org/irud/UI/index.aspx>)提前申请传译员。法院会尽力按您的庭审日期和时间安排传译员, 但法院无法保证能够即时提供传译员。如果您有关于语言服务的疑问, 请联系

LanguageAccess@LACOURT.org.

통역사 신청을 위한 소액 청구 웹 포털 이용 통지

로스앤젤레스 상급법원은 소액 청구 심리에서 영어가 능숙하지 않은 당사자들에 대해 통역 서비스를 무료로 제공합니다. 스페인어 통역사는 소액 청구 심리가 열리는 모든 법정에서 손쉽게 제공할 수 있습니다. 스페인어 통역사가 필요한 경우에는 심리가 열리는 날에 법정 직원에게 알려 주십시오. 스페인어가 아닌 다른 언어를 사용하고 영어가 능숙하지 않은 개인들은 통역사 신청을 위한 법원 웹 포털을 통해서 재판일 전에 통역사를 신청할 수 있습니다(<http://www.lacourt.org/irud/UI/index.aspx>). 법원은 심리 날짜와 시간에 통역사를 찾기 위해 모든 노력을 기울일 것이나, 통역사를 즉시 제공한다는 것을 보장할 수 없습니다. 언어 접근 서비스에 대한 질문이 있으시면, 다음의 이메일 주소로 연락해 주십시오: LanguageAccess@LACOURT.org.

Aviso de disponibilidad del Portal web para jurisdicción limitada civil para solicitar intérpretes

La corte superior de Los Ángeles brinda servicios de intérprete sin cargo para audiencias de jurisdicción limitada civil a las partes que tienen conocimientos limitados de inglés. Se dispone de intérpretes de español en todos los juzgados. Por lo tanto, no es necesario pedir un intérprete de español por adelantado. Si necesita un intérprete de español, infórmele al personal de la sala del juzgado el día de su audiencia. Los individuos con conocimientos limitados de inglés que hablan un idioma que no sea el español pueden solicitar un intérprete antes de la audiencia en la corte por medio del Portal web de la corte para solicitar intérpretes (<http://www.lacourt.org/irud/UI/index.aspx>). La corte hará el mayor esfuerzo posible para programar un intérprete para la fecha y hora de su audiencia; sin embargo, no le podemos garantizar de que haya uno disponible en forma inmediata. Si tiene preguntas generales sobre los servicios de acceso lingüístico, envíe un mensaje a LanguageAccess@LACOURT.org.

Thông Báo về Cổng Web Thẩm Quyền Hộ Sự Giới Hạn để Xin Cung Cấp Thông Dịch Viên

Tòa Thượng Thẩm Los Angeles cung cấp dịch vụ thông dịch viên miễn phí cho những bên kiện có khả năng Anh Ngữ giới hạn trong những phiên tòa có thẩm quyền Hộ Sự Giới Hạn. Có sẵn thông dịch viên tiếng Tây Ban Nha tại tất cả các tòa. Do đó, không cần phải xin cung cấp thông dịch viên tiếng Tây Ban Nha trước. Nếu quý vị cần thông dịch viên tiếng Tây Ban Nha, xin cho nhân viên phòng xử biết về nhu cầu của quý vị vào ngày quý vị ra tòa. Người có khả năng Anh Ngữ giới hạn và nói một ngôn ngữ không phải tiếng Tây Ban Nha có thể xin cung cấp thông dịch viên trước ngày có phiên tòa của họ qua Cổng Web của Tòa cho Các Yêu Cầu Cung Cấp Thông Dịch Viên (<http://www.lacourt.org/irud/UI/index.aspx>). Tuy tòa sẽ nỗ lực để tìm một thông dịch viên cho ngày giờ phiên tòa của quý vị, tòa không thể bảo đảm sẽ có ngay. Nếu quý vị có thắc mắc tổng quát về các dịch vụ ngôn ngữ, xin liên lạc với chúng tôi tại LanguageAccess@LACOURT.org.

V.

CONCLUSION

By this notice of removal and the associated attachments, NSL does not waive any objections it may have as to service, jurisdiction or venue, or any other defenses or objections it may have to this action. NSL does not intend any admission of fact, law or liability by this notice, and expressly reserves all defenses, motions, and/or pleas. NSL prays that Plaintiff's action be removed to the United States District Court, that all further proceedings in the California Superior Court be stayed, and that NSL receives all relief to which it is entitled.

Dated: April 28, 2017

AKERMAN LLP

By: /s/ Robert R. Yap
 Dennis N. Lueck, Jr.
 Robert R. Yap
 Attorneys for Defendant
 NAVIENT SOLUTIONS, LLC

AKERMAN LLP

725 S. FIGUEROA STREET, SUITE 3800
 LOS ANGELES, CALIFORNIA 90017
 TEL.: (213) 688-9500 – FAX: (213) 627-6342

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California; I am over the age of 18 years and not a party to this action. My business address is 725 South Figueroa Street, 38th Floor, Los Angeles, CA 90017.

On **April 28, 2017**, I served the following document(s) described as:

DEFENDANT NAVIENT SOLUTIONS, LLC'S NOTICE OF REMOVAL OF ACTION PURSUANT TO 28 U.S.C. §§ 1331, 1367, AND 1446

on the persons below as follows:

Todd M. Friedman, Esq.
Adrian R. Bacon, Esq.
LAW OFFICES OF TODD M. FRIEDMAN, P.C.
21550 Oxnard Street,
Suite 780
Woodland Hills, California 91367
Telephone: 877.206.4741
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Email: abacon@toddfllaw.com

Attorneys for Plaintiff,
BRIANA GRAYS

☒ **BY OVERNIGHT DELIVERY:** I deposited such document(s) in a box or other facility regularly maintained by the overnight service carrier, or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents, in an envelope or package designated by the overnight service carrier with delivery fees paid or provided for, addressed to the person(s) served hereunder. (C.C.P. § 1013(d)(e))

☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (Federal) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on **April 28, 2017**, at Los Angeles, California.

Evelyn S. Duarte
(Type or print name)

(Signature)